



*Exhibit C*

JIHUI ZHANG <zjh1023@gmail.com>

## Step 3 Score Recheck

3 messages

Jihui Zhang <zjh1023@gmail.com>

Wed, Apr 28, 2010 at 10:24 AM

To: usmle@fsmb.org

Dear Ms. Debbie Cusson;

I appreciate the fact that you took time to return my call on April 26, 2010 and discuss the concerns I have on my USMLE Step 3 scores.

To facilitate communication, let me first list a few quick facts on my Step 3 test.

- 1). Name -- Jihui Zhang and USMLE ID# -- 06511877
- 2). Did Prometric online scheduling on December 07, 2010; given January 25, 2010 (Monday) for Day 1 and January 28, 2010 (Thursday) for Day 2
- 3). Took the test as scheduled, everything went well as expected.
- 4). Score report issued on February 17, 2010 -- Fail, 174/68
- 5). Submitted a request for score recheck via USPS Priority Mail on February 17, 2010.
- 6). Called Examination Services on February 22, 2010 to follow up on the score recheck mail. Talked to a staff member and was asked about my name, USMLE ID number, and my test date. She was apparently surprised to hear that I took the test on two non-consecutive days (Monday and Thursday). She said that she would inform her supervisor about my case and get back to me on the same day. I gave her my phone number.
- 7). Without hearing from her I called again on the following day (February 23, 2010) and talked to a different lady. She seemed not concerned at all with my test scheduling of two non-consecutive days, which she said not uncommon. She told me my request for score recheck had been processed, my check had been cleared, and the targeted date for release of my score recheck result would be March 29, 2010 by email.
- 8). Score recheck result issued on March 26, 2010 stating -- scores were found to be accurate as originally reported.
- 9). Since March 26, 2010, I have contacted USMLE/NBME many times to express my concerns: a) why I was scheduled on two non-consecutive days and could such scheduling affect my score in any way? b) my score was too low and a manual score recheck is needed to see if there were irregularities between Day 1 and Day 2 of my test data. So far, I have not gotten a straight answer on my first concern and a manual recheck was not granted.

The only purpose I contacted your office on April 26, 2010 was to make sure that you, as the supervisor of Examination Services of FSMB, were well informed of my case and it was handled properly. Just for the record, the following summarizes my contact with your office on that day.

On April 26, 2010 (at 10:51 am), I called your office (817 868 4041) and talked to a staff member for over 13 minutes. I gave her my name and USMLE ID number, and informed her my intention to talk to you as instructed on my score recheck report signed by you. She tried to address my concerns, put me on hold for a while, tried some more, and eventually decided to transfer me to your line and instructed me to leave a message, which I did. At 4:27 pm you called me back and we talked for more than 71 minutes. I came to know that you are well aware of my case and have been well informed by USMLE/NBME since I contacted them. On the issue of manual score recheck, you unequivocally stated that no manual recheck has been offered since 2000 when the test was switched from pencil-and-paper format to computer-based format. When I contacted the Scores/Examinees Record Office of NBME on April 2, 2010, however, I was clearly informed that if I believe my score is too low, I can submit a request for manual score recheck. Further, the staff member who answered my call instructed me to email my request to [scores@nbme.org](mailto:scores@nbme.org) with a headline of ATTN: Examinees Record Manager and she would forward my request to the manager, which I did on the same day. Surprisingly, I received a call on April 6, 2010 from a different lady at NBME who informed me that manual score recheck is only offered to US medical

graduates but not me. That phone conversation lasted more than 40 minutes. Now, I don't know whom to believe regarding USMLE's manual score recheck policy. Similarly, on the issue of my unusual scheduling, I have gotten at least two different, unconvincing answers: one blaming me for choosing two non-consecutive test days, and the other stating the test center where I took the test is regularly scheduled to close on Tuesdays and Wednesdays. It is clear to me that something is not right and I have been unfairly denied a manual score recheck.

Based on the fact that my concerns were not addressed in a clear and straight-forward fashion, I have no choice but appeal to the appropriate office(s) at NBME and FSMB. I believe both NBME and FSMB have nothing to hide and should not be afraid of an examinee's legitimate concerns.

Sincerely,

Jihui (Jay) Zhang, MD, PhD

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**Jihui Zhang <zjh1023@gmail.com>**

**Mon, Sep 20, 2010 at 9:31 AM**

To: Randy James <rmjames@rmjameslaw.com>

Dear Mr. James:

About responding to Federation of State Medical Boards (FSMB), I will be glad to meet with you to discuss our strategies, if it is necessary.

I forward you an email I sent on April 28, 2010 to Ms. Cusson of FSMB. It contains a recap of my story. A detailed description of my case with the supporting documents in pdf file was provided to Ms. Sylvia Kovach when I initially contacted your firm.

I have many concerns about my Step 3 test, and I have no doubt that anyone in my situation would rightfully do so. On my Step 3 test scheduling, FSMB simply ignored our request to investigate whether or not the Prometric Testing Center in Greensboro, NC, where I took my test, was open on Tuesday and Wednesday following the Day 1 of my test. It is incredible for FSMB to continue rationalizing such an unusual scheduling in a way that contradicts their own policy.

My biggest concern is not the scheduling, but the flat, unfair, deliberate refusal to my legitimate request of manual score recheck. I know something had gone wrong in scoring my test, and I know FSMB/USMLE offers manual score recheck in addition to the regular/routine score recheck. The refusal to manually recheck my score further confirms that something terribly wrong had happened in scoring my test, and FSMB/USMLE knows it but does not want anyone else know it.

My career depends on a satisfactory resolution of this case. Time is of essence.

Thank you very much.

Jihui Zhang

----- Forwarded message -----

From: **Jihui Zhang** <zjh1023@gmail.com>

Date: Wed, Apr 28, 2010 at 10:24 AM

Subject: Step 3 Score Recheck

To: [usmle@fsmb.org](mailto:usmle@fsmb.org)

Dear Ms. Debbie Cusson;

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To facilitate communication, let me first list a few quick facts on my Step 3 test.

1). Name -- Jihui Zhang and USMLE ID# -- 06511877

2). Did Prometric online scheduling on December 07, 2010 (**the year was mistyped, it should be 2009**); given January 25, 2010 (Monday) for Day 1 and January 28, 2010 (Thursday) for Day 2

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Jihui Zhang <zjh1023@gmail.com>

Wed, Sep 29, 2010 at 11:24 AM

To: Harvey Hamrick <sport@med.unc.edu>

This email to my lawyer is in response to the email on Sept. 15, 2010 from his office. I had already called his office on the 15th and confirmed that he anticipated to call and talk to Mr. David Johnson of the Federation of State Medical Boards (FSMB). It served as a reminder for him to contact Mr. Johnson. Also, it contains an email I sent to Ms. Debbie Cusson of FSMB, although I knew he already had a copy of it.

Jihui

----- Forwarded message -----

From: Jihui Zhang <zjh1023@gmail.com>

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